

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
--

**PRELIMINARY DRAFT STAFF REPORT FOR
PROPOSED AMENDED RULE 1113 – ARCHITECTURAL COATINGS**

Dated: April, 2007

Deputy Executive Officer

Planning, Rule Development, and Area Sources
Elaine Chang, DrPH

Assistant Deputy Executive Officer

Planning, Rule Development, and Area Sources
Laki Tisopulos, Ph.D., P.E.

Planning and Rules Manager

VOC Rule Development
Larry M. Bowen, P.E.

Author:	Dan Russell	Air Quality Specialist
Reviewed by:	Naveen Berry David DeBoer	Program Supervisor Senior Staff Specialist
Contributors	Heather Farr	Air Quality Specialist

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

GOVERNING BOARD

Chairman: WILLIAM A. BURKE, Ed.D.
Speaker of the Assembly Appointee

Vice Chairman: S. ROY WILSON, Ed.D.
Supervisor, Fourth District
Riverside County Representative

MEMBERS:

MICHAEL D. ANTONOVICH
Supervisor, Fifth District
Los Angeles County Representative

BILL CAMPBELL
Supervisor, Third District
Orange County Representative

JANE W. CARNEY
Senate Rules Committee Appointee

RONALD O. LOVERIDGE
Mayor, City of Riverside
Cities Representative, Riverside County

GARY OVITT
Supervisor, Fourth District
San Bernardino County Representative

JAN PERRY
Councilmember, 9th District
Cities Representative, Los Angeles County, Western Region

MIGUEL PULIDO
Mayor, City of Santa Ana
Cities Representative, Orange County

TONIA REYES URANGA
Councilmember, City of Long Beach
Cities Representative, Los Angeles County, Eastern Region

VACANT
Governor's Appointee

DENNIS YATES
Mayor, City of Chino
Cities Representative, San Bernardino County

EXECUTIVE OFFICER:

BARRY R. WALLERSTEIN, D.Env.

TABLE OF CONTENTS

	Page
EXECUTIVE SUMMARY	1
BACKGROUND	2
STAFF ASSESSMENT FOR THE PROPOSED AMENDMENTS	4
PROPOSED AMENDMENTS	7
SOCIOECONOMIC ASSESSMENT	7
DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE	7
CONCLUSION AND RECOMMENDATION	8
REFERENCES.....	8
ATTACHMENT	

EXECUTIVE SUMMARY

Rule 1113 – Architectural Coatings was first adopted in 1977, and has undergone 25 amendments since then. Because architectural coatings cannot be painted within an enclosure and vented to an air pollution control device, the volatile organic compounds (VOC) emissions have historically been reduced by lowering the VOC content of the coatings. In November 1996, the South Coast Air Quality Management District (AQMD) Governing Board (Board) amended Rule 1113 - Architectural Coatings to include an averaging compliance provision as a flexibility option for flat coatings, allowing manufacturers to average the VOC content of their products. In May 1999, and subsequent re-adoption in July 2001, the Averaging Compliance Option (ACO) provision was expanded to include multiple coating categories, all with future lower-VOC limits, including Specialty Primers. To use the ACO successfully, a manufacturer must be able to distribute sufficient volumes of products with VOC content below applicable limits in order to offset the excess emissions from products with VOC content above the limits. This concept has numerous strengths, such as providing a more cost-effective and flexible approach for manufacturers to transition compliant product lines into the marketplace. However, there are also some limitations, including the need for a manufacturer to have a broad array of commercial products, with sufficient volume of sales of products that are below the applicable VOC limit.

One manufacturer, affected by the limitation of the ACO described above, has recently requested that the Stationary Source Committee, a subcommittee of the Board, consider delaying the implementation of a lower VOC limit for specialty primers (contrary to the consent decree) or to remove the specialty primer category from the ACO provision. Since some manufacturers with a broad line of products can continue marketing the less expensive, high-VOC primers, under the ACO, the manufacturer that is only able to offer the more expensive low-VOC product without the ACO opportunity is at a competitive disadvantage. The Stationary Source Committee, as a result of these discussions, directed staff to propose an amendment to Rule 1113 – Architectural Coatings to remove specialty primers from the ACO provision.

Staff reviewed several types of data including sales of primers from the manufacturer making the request, CARB Draft 2005 Architectural Coatings Survey market penetration of 100 g/l primers in all categories and the recategorization of coatings listed in both the CARB 2001 and 2005 Architectural Coating Surveys along with how the different type of primers are categorized in individual company ACO plans to determine the effect of removing specialty primers from the ACO. Staff concluded that without removing the general category of primers, sealers, and undercoaters and quick-dry primers, sealers, and undercoaters from the ACO, manufacturers would be able to relabel specialty primers into one or both of the other primer categories, one manufacturer continues to average, and therefore not level the playing field. Indeed, one manufacturer currently averages its higher VOC specialty primer as a regular primer.

Therefore, the proposed amendments will:

- Remove primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters and specialty primers from the list of coating categories allowed to be averaged under the ACO of the rule.

In addition, staff is proposing the following additional amendments to clarify other issues related to rule implementation:

- Amend the definition of metallic pigmented coatings to make consistent with the federal AIM rule and make clear that this category only includes decorative coatings with elemental metallic pigment and clarify that industrial maintenance coatings are not included in this category.
- Update the Test Method used to determine the weight percent of elemental metal in metallic coatings, to reflect current practice.

The proposed amendments to Rule 1113 - Architectural Coatings will be reviewed pursuant to the California Environmental Quality Act (CEQA) and an appropriate CEQA document will be prepared and will be considered for certification concurrently with the consideration for adoption of PAR 1113. A socioeconomic assessment is being prepared and will be available 30 days prior to the Board Public Hearing.

The proposed amendments have no impact on State Implementation Plan creditable emissions and no additional cost impacts are expected.

BACKGROUND

Architectural coatings including industrial maintenance coatings are one of the largest non-vehicular sources of VOC emissions in the AQMD. Rule 1113 is applicable to manufacturers, distributors, and end-users of architectural coatings. These coatings are used to enhance the appearance of and to protect homes, office buildings, factories and other structures, and their appurtenances on a variety of substrates. The coatings may be applied primarily by brush, roller, or spray gun; and those applying these coatings include homeowners, paint contractors, or maintenance personnel. Aerosol coatings are regulated by the California Air Resources Board (CARB) and are therefore exempt from this rule.

The Draft 2007 Air Quality Management Plan lists the VOC emissions from the use of architectural coatings in 2002 at 48.58 tons per day (tpd) on an Annual Average Inventory, and at 57.29 tpd on the Summer Planning Inventory. The emissions for 2010 are projected at 23.13 tpd on the Annual Average Inventory, and at 27.28 tpd on the Summer Planning Inventory. The CARB Draft 2005 Architectural Coatings Survey, with detailed 2004 sales data, shows approximately 43 tons per day of VOCs emissions attributed to the application of architectural coatings in the AQMD, based on a population distribution of 45% of the California population for the South Coast Air Basin.

Rule 1113 - Architectural Coatings was first adopted in 1977, and has since undergone numerous amendments. When Rule 1113 was amended on November 8, 1996 it included an ACO for complying with Flat coating VOC limits, and further expanded to other categories in subsequent amendments in 2002, 2003 and 2006. Under an ACO, manufacturers are allowed to average their emissions over a compliance period, provided they demonstrate their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions allowable under the VOC limits specified in the Table of Standards. The 2004 amendments addressed U.S. EPA concerns regarding the approvability of the ACO for the State Implementation Plan and the administration of the ACO Program. The June 2, 2006 amendments reduced the VOC limit for three coating categories and delayed the VOC limit for

three different categories including specialty primers to provide additional time and flexibility for manufacturers to reformulate their coatings. The amendment also established an interim VOC limit of 250 g/l for specialty primers and delayed the final limit of 100 g/l for one year until July 1, 2007, as was recommended by one specialty primer manufacturer.

Under the definition in Rule 1113 – Architectural Coatings, Specialty Primers are formulated for or applied to a substrate to seal fire, smoke or water damage; or to condition excessively chalky surfaces.

During the Stationary Source Committee meetings held on February 23, 2007, a single manufacturer of specialty primers alleged that a major competitor is able to market specialty primers above the applicable VOC limit of 250 grams per liter (g/l) through use of the ACO. The concerned manufacturer indicated they formulate a compliant specialty primer using a more costly exempt solvent, which causes them to increase the retail price of their product well above other high-VOC primers sold under the ACO. The manufacturer's major concern was the loss of market share, since consumers and distributors are apt to select the less expensive, but higher VOC primer. This particular manufacturer is unable to retain their full market share under the ACO, primarily due to a lack of multiple products with a broad range of VOCs under their product line. The manufacturer requested that the AQMD roll back the VOC limit for specialty primers from the current 250 g/l to the pre-July 1, 2006 limit of 350 g/l, or if the AQMD is unable to roll-back the VOC limit for specialty primers, remove that category from the ACO.

In December 1999, the AQMD entered into a Settlement Agreement with several environmental organizations based on a complaint filed in the U.S. District Court in which it was alleged that the AQMD and CARB had failed to adopt and implement 34 control measures from the 1994 State Implementation Plan. Control Measure CTS-07 – Further Emission Reductions from Architectural Coatings, was one of the control measures listed in Exhibits 2 and 3. The Settlement Agreement states that with respect to control measures listed in Exhibit 2 with an implementation date later than 2006, the Board is required at the time of adoption of such rule to make a written finding supported by substantial evidence, that it is infeasible to implement the rule. Because the manufacturer reported data found in the CARB Draft 2005 Architectural Coatings Survey, based on 2004 sales data, lists 21% of the total volume of specialty primers sold in California are already at or below 100 g/l it would be extremely unlikely that a finding of infeasibility relative to the 100 g/l limit can be supported to rollback this limit for specialty primers. To address the single manufacturer's concern, the Stationary Source Committee Board members then directed staff to work with the specialty coating manufacturer to determine if the ACO is a viable option for them and if not, to consider a rule amendment to remove specialty primers as a category from the ACO.

Staff reviewed 2004 sales data reported to CARB by the specialty primer manufacturer and its sister companies operating under the parent company umbrella, as well as 2006 sales data provided by the manufacturer, and determined that an ACO plan would only allow the company to average a small volume of their competitive high-VOC product.

After presenting these findings to the Stationary Source Committee on March 23, 2007, the committee members directed staff to propose removing the specialty primers as a category from the ACO. Staff noted that while the removal could in fact result in an air quality benefit, it would, however, decrease flexibility available to manufacturers to comply with Rule 1113 -

Architectural Coatings VOC limits. The purpose of an ACO is to provide manufacturers flexibility for a smooth transition for introduction of compliant coatings into the marketplace. However, since there is clear evidence indicating a substantial penetration of compliant products in the marketplace from multiple manufacturers, it appears the transition to compliant specialty primers and primers, sealers, and undercoaters in general has occurred and the flexibility of the ACO for these products is no longer necessary from an air quality perspective. Based on enforceability concerns and the ability of manufacturers to relabel their products into any one of the three types of primer categories and continue to average, staff is recommending the removal of the general category of primers, sealers and undercoaters; quick-dry primers, sealers, and undercoaters and specialty primers from the ACO. Moreover, it would align with the proposed SCM as explained below.

STAFF ASSESSMENT FOR THE PROPOSED AMENDMENTS

Specialty Primers

During the course of Rule 1113 - Architectural Coatings development, the Board approved a work plan that requires staff to submit an annual status report summarizing issues and activities regarding the implementation of the rule. The annual status reports and technology assessments completed to date indicate that numerous manufacturers have developed and commercialized compliant products in practically all categories, including primers, sealers, and undercoaters.

The rule also requires staff to consider any applicable future CARB architectural coating surveys. CARB has conducted architectural coating surveys every four or five years with previous surveys conducted in 1976, 1981, 1985, 1989, 1993, 1998, 2000 and 2004. The purpose of the surveys is to gather current information on the VOC content and sales volume of architectural coatings. In addition, CARB has provided regulatory guidance to Air Quality Management Districts and Air Pollution Control Districts through the development of a suggested control measure (SCM) for architectural coatings and is currently developing amendments slated for fall 2007. The proposed changes to the CARB SCM include aligning the VOC limit for primers, sealers, undercoaters to 100 g/l with the limit in Rule 1113 as well as eliminating the quick-dry primers, sealers, and undercoaters as a category by subsuming them into the general category of primers, sealers, and undercoaters. CARB explained that they intended to eliminate the quick-dry primers, sealers, and undercoaters category during the development of the 2000 SCM. The proposed CARB SCM VOC limit for specialty primers is also proposed to be aligned with the Rule 1113 limit of 100 g/l. The CARB SCM does not include an ACO.

To better understand how significant the impact of the proposed amendments would be on the manufacturers, staff reviewed the three primer categories for their availability and market penetration based on the CARB Draft 2005 Architectural Coatings Survey (Table 1); a comparison of the sales volume for the last two CARB surveys (Table 2); and a review of the manufacturers ACO plans averaging primers (Table 3).

The market penetration for Table 1 was calculated based on California sales volumes, excluding quart containers or less. The table shows the total number of products and sales listed in each category for California. Assuming the VOC limits for all three primer categories are at 100 g/l, the table also shows the number of AQMD complying products and sales with

the corresponding percentages. As stated above, manufacturers were aware of CARBs proposed elimination of the quick-dry primers, sealers, and undercoaters category from the 2000 SCM, which would most likely account for the lower market penetration. Since the survey used for market penetration accounts for sales in 2004, any additional low-VOC products that were developed and marketed since then are not reflected in these results.

Table 1
California Primer Market Penetration at AQMD VOC Limits

AQMD VOC Limit (g/l)	Total No. of CA Products	No. of AQMD Complying Products	% of AQMD Complying Products	Total CA Sales (gals)	Sales of AQMD Complying Products	% of AQMD Complying Products
Primers, Sealers, Undercoaters						
100	664	329	50%	10,220,213	3,797,353	36%
Quick-Dry Primers, Sealers, Undercoaters						
100	33	1	3%	245,632	25,253	10%
Specialty Primers						
100	89	23	26%	1,974,378	422,963	22%

In January and February 2007, staff conducted a store-shelf survey within the AQMD that included specialty primers to determine compliance with the current and future VOC limits. The results of the store-shelf survey showed 24% of the specialty primers surveyed already met the future 100 g/l VOC limit and 37% met the current 250 g/l VOC limit.

As indicated in Table 2, Staff also looked at the shift in sales between the three types of primers from 2000 to 2004. Based on tracking specific product information submitted to CARB as part of the surveys, the majority of the reduction in volume for quick-dry primers, sealers, and undercoaters was a shift to the general category of primers, sealers, and undercoaters, with a lesser amount shifted to specialty primers and rust preventative coatings.

The specialty primers increase appears to be mostly due to new products, as opposed to relabeling existing products. Without reviewing specific products with each manufacturer, staff is unable to make a supported determination if the specialty primers were indeed new products introduced into the market or simply relabeled quick-dry primers, sealers, and undercoaters. A review of the VOC limits for all three types of primers between 2000 and 2004 shows they were all at 350 g/l in 2000 with only specialty primers remaining at 350 g/l by 2004, while both the quick-dry primers, sealers, and undercoaters and the general category of primers, sealers, and undercoaters limits reduced to 200 g/l. The difference in VOC limits might also account for the shift from one category to another. In the past, there has been some evidence showing that manufacturers have simply relabeled products and moved them from one category to another specialty category with higher VOC limits. Therefore, staff is proposing to remove all three categories of primers from the ACO to align with the proposed SCM and base it on market penetration.

Table 2
CA Primer Sales in 2000 and 2004

Sales Year	Primers, Sealers, Undercoaters	Quick-Dry Primers, Sealers, Undercoaters	Specialty Primers
2000 Annual Sales	8,125,823	1,660,227	376,521
2004 Annual Sales	10,405,708	264,083	2,019,995
Difference	2,279,885	(1,396,144)	1,643,474
% Change	28%	-84%	436%

In summary, after reviewing the sales data, market penetration, and the three primer categories being averaged, staff concluded that there is a plethora of compliant products available in all categories. Since manufacturers managed to successfully transition to these lower VOC limits, reliance on averaging for these categories is no longer necessary. However, staff acknowledges that manufacturers using ACO (8 manufacturers in 2006) in these categories will lose some of their compliance flexibility as a result of removing these categories from the ACO.

Metallic Pigmented Coatings

Staff developed the metallic pigmented coating category with a VOC limit of 500 g/l for decorative coatings containing at least 0.4 pounds per gallon (48 grams/liter) of metal such as gold and silver. The category does not include coatings in other categories with much lower VOC limits such as industrial maintenance coatings, zinc primers, and roof coatings that might contain metals as well. In 2003, at the request of some manufacturers, staff added mica to the definition of metallic pigmented coatings to allow a wider range of metallic color choices. During the implementation phase of this definition, it became apparent, however, that the addition of mica made the definition of metallic pigmented coatings less restrictive than the federal definition for a metallic pigmented coating, which does not include mica under the "National Volatile Organic Compound Emission Standards for Architectural Coatings." A local air district rule cannot be less stringent than a federal regulation, but may be more restrictive; therefore, the staff proposal will eliminate reference to mica making the definition similar to the federal definition, but continue to exclude all industrial coatings and roof coatings from the metallic pigmented coating definition, which is more restrictive. On January 9, 2007, staff mailed a letter to architectural coating manufacturers and their association, clarifying that mica would not be considered as part of the metallic content standard 0.4 pounds per gallon included in the definition. A copy of the letter is attached to this report.

Test Method

Staff is recommending the test method referred to in Rule 1113 - Architectural Coatings paragraph (e)(3), AQMD Method 311 Determination of Percent Metal in Metallic Coatings by Spectrographic Method, be updated to AQMD Method 318 Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction to reflect the method used in current practice. Although AQMD Method 311 is a valid method, it is based on outdated technology and requires equipment that the AQMD does not have and can no longer obtain. The AQMD laboratory has developed Method 318, an improved method for the determination of the elemental metal content in coatings. Method 318 has been accepted by the U.S. EPA and

adopted by other regulatory agencies throughout California and the rest of the Nation. The AQMD laboratory specifically developed Method 318 to address the analysis of elemental aluminum because that was the metal of interest in the majority of the coatings at the time of the test method development. The test method states that it is currently only validated for the determination of the weight percent of elemental aluminum but also states that it is applicable for the determination of other elemental metals or crystalline materials for which appropriate standards are available and reasonable performance has been demonstrated. Validation of Method 318 for other elemental metals could be completed as necessary.

PROPOSED AMENDMENTS

The following are the staff proposed amendments:

- Subparagraph (c)(6)(A): The proposed amendment will remove the general category of primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters and specialty primers from the list of categories allowed to be averaged under the ACO of the rule.
- Paragraph (b)(24): Amend the definition of metallic pigmented coatings to make clear that this category only includes decorative coatings with elemental metallic pigment and clarifies that industrial maintenance coatings are not included.
- Paragraph (e)(3): Update the Test Method used to determine the weight percent of elemental metal in metallic coatings, to reflect current practice.

SOCIOECONOMIC ASSESSMENT

A socioeconomic analysis of the amendments to Rule 1113 - Architectural Coatings will be performed. The socioeconomic report will be released no later than 30 days prior to the public hearing.

DRAFT FINDINGS UNDER CALIFORNIA HEALTH AND SAFETY CODE

Health and Safety Code Section 40727 requires that prior to adopting, amending or repealing a rule or regulation, the AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the hearing. The draft findings are as follows:

Necessity - The AQMD Governing Board has determined that a need exists to amend Rule 1113 - Architectural Coatings - Architectural Coatings to remove the general category of primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters and specialty primers from the list of coating categories allowed to be averaged under the Averaging Compliance Option. In addition, the proposed amendments will amend the definition of metallic pigmented coatings and update the test method to determine if a coating meets the requirements to be a metallic pigmented coating.

Authority - The AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 39002, 40000, 40001, 40440, 40702, and 41508.

Clarity - The AQMD Governing Board has determined that the proposed amendments to Rule 1113 - Architectural Coatings, are written and displayed so that the meaning can be easily understood by persons directly affected by them.

Consistency - The AQMD Governing Board has determined that PAR 1113 - Architectural Coatings, is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, federal or state regulations.

Non-Duplication - The AQMD Governing Board has determined that the proposed amendments to Rule 1113 - Architectural Coatings do not impose the same requirement as any existing state or federal regulation, and the proposed amendments are necessary and proper to execute the powers and duties granted to, and imposed upon, the AQMD.

Reference - In adopting these amendments, the AQMD Governing Board references the following statutes which the AQMD hereby implements, interprets or makes specific: Health and Safety Code Sections 40001 (rules to achieve ambient air quality standards), 40440(a) (rules to carry out the Air Quality Management Plan), and 40440(c) (cost-effectiveness), 40725 through 40728 and Federal Clean Air Act Sections 171 et seq., 181 et seq., and 116.

Since the proposed amendments do not impose a new emission limit or standard a comparative analysis with federal air pollution controls is not necessary, Health and Safety Code §40727.2(g).

CONCLUSION AND RECOMMENDATION

Staff recommends the amendments to the ACO provision, definition of metallic pigmented coatings, and updating the test method to determine the weight of elemental metals in metallic pigmented coatings.

REFERENCES

2005 Architectural Coatings Survey, Draft Report, California Air Resources Board, September, 2006.

Averaging Compliance Option mid-term and final 2006 reports.

Specialty primer manufacturer reported 2006 sales volume and emission records.

Annual Status Reports on Rule 1113 – Architectural Coatings.

Averaging Compliance Implementation Guidance Document

ATTACHMENT



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Dear Coating Manufacturer/Distributor:

January 9, 2007

Re: METALLIC PIGMENTED COATING

The South Coast Air Quality Management District (AQMD) is the local air pollution control agency responsible for the non-desert portion of Los Angeles county, the lower desert portion of San Bernardino county, the western section of Riverside county (as far east as the Salton Sea area) and all of Orange county. This outreach letter is intended to expand upon the definition of a metallic pigmented coating.

As a manufacturer or distributor of architectural coating products, you should be aware that AQMD Rule 1113 (www.aqmd.gov/rules/reg11/r1113.pdf), Architectural Coatings, is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the AQMD jurisdiction that is intended to be field applied to stationary structures or their appurtenances, and to mobile homes, pavements or curbs; as well as any person who applies or solicits the application of any architectural coating. The purpose of this rule is to limit the VOC content of architectural coatings used in the AQMD jurisdiction and as such, there are specific limits that apply as shown in the Table of Standards of the attached rule.

There has been some confusion in the coatings industry on the definition of a metallic pigmented coating. Rule 1113 defines a metallic pigmented coating as “coatings, excluding roof coatings, containing at least 0.4 pounds per gallon (48 grams/liter) of coating, as applied, of elemental metallic pigment (excluding zinc), mica particles or any combination of metallic pigments and mica particles.” However, the definition for a metallic pigmented coating under the National AIM Rule does not include mica. Since a local air district rule cannot be less stringent than a federal regulation, in the case of metallic pigmented coatings, mica may not be used to meet the definition of a metallic pigmented coating, since that is not allowed under the definition in the National AIM Rule. On another related note, a local air district may be more restrictive than a Federal or State regulation, and as such, the AQMD will continue to exclude zinc from the metallic pigmented coating definition. The bottom line is that no manufacturer or distributor shall be allowed to make or distribute a metallic pigmented coating for use within the AQMD having an allowable maximum VOC limit of 500 g/L, unless it meets the federal definition excluding zinc. This means that mica shall not be considered as part of the metallic content when attempting to meet the 0.4 pounds per gallon as stating in the Rule 1113 definition for metallic pigmented coatings.

Cleaning the air that we breathe...

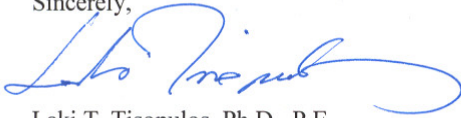
METALLIC PIGMENTED COATING OUTREACH LETTER

Page 2 of 2

This letter serves as notification that any coating manufactured after January 31, 2007 must contain at least 0.4 pounds of elemental metal per gallon of coating in order to meet the definition of a metallic pigmented coating; if not, it will be deemed non-compliant and subject to the issuance of a Notice of Violation.

If you have any questions please contact David De Boer, Senior Staff Specialist, at (909) 396-2329.

Sincerely,



Laki T. Tisopulos, Ph.D., P.E.
Assistant Deputy Executive Officer

Attachments: FACTSHEET



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

Metallic Pigmented Coating Fact Sheet:

South Coast Air Quality Management District (SCAQMD) Rule 1113 Architectural Coatings Section (b) (32):

METALLIC PIGMENTED COATINGS are coatings, excluding roof coatings, containing at least 0.4 pounds per gallon (48 grams/liter) of coating, as applied, of elemental metallic pigment (excluding zinc), mica particles or any combination of metallic pigments and mica particles.

California Air Resources Board (ARB)

Suggested Control Measure (SCM) for Architectural Coatings Section 2.31:

Metallic Pigmented Coating: A coating containing at least 48 grams of elemental metallic pigment per liter of coating as applied (0.4 pounds per gallon), when tested in accordance with SCAQMD Method 318-95, incorporated by reference in subsection 6.5.4.

Environmental Protection Agency (EPA)

National Volatile Organic Compound Emission Standards for Architectural Coatings 40 CFR Part 59 Subpart D:

Metallic pigmented coating means a nonbituminous coating containing at least 0.048 kilogram of metallic pigment per liter of coating (0.4 pound per gallon) including, but not limited to, zinc pigment.

Since a local air district may not be less restrictive than the Federal regulation, the SCAQMD will enforce Metallic Pigmented Coatings as:

METALLIC PIGMENTED COATINGS are coatings, excluding roof coatings, containing at least 0.4 pounds per gallon (48 grams/liter) of coating, as applied, of elemental metallic pigment (excluding zinc).

Cleaning the air that we breathe.